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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,920	07/25/2001	Jurgen Nicolai	2822	5493
26822	7590	02/19/2008		
WALTER A. HACKLER 2372 S.E. BRISTOL, SUITE B NEWPORT BEACH, CA 92660-0755			EXAMINER WANG, LIANG CHE A	
			ART UNIT 2153	PAPER NUMBER
			MAIL DATE 02/19/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/912,920

Applicant(s)

NICOLAI, JURGEN

Examiner

Liang-che Alex Wang

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 11-17 are presented for examination.
2. Claims 1-10 are canceled, and claim 11 is amended.
3. This rejection is in response to amendment filed on 11/28/2007.

Response to Arguments

4. Applicant's arguments filed 11/28/2007, have been fully considered but they are not persuasive.
5. In that remarks, applicant's argues in substance:
 - a. That: Malcolm does not discloses nor suggests using such a software , Macolm falls short of disclosing that all changes and supplements to the web page, comprising changes to the layout and embedding of the page in the overall context, are recorded as user-specific data on the network client.

In response to applicant's argument, first, applicant argues Malcolm does not disclose such a software, and the applicant defined the software in the argument (remarks page 4, lines 11-14) "comprehensive software has to be loaded into the network client at the start of the session which **automatically** records all the changes to the web page, independent claim 11 has been amended to more clearly define this feature". However, the term "automatically" as argued cannot be found in the amended claim. Second, Malcolm indeed teaches storing **specific** changes to the web pages, however, specific changes does affect the changes to layout and embeddings of the page in the overall context. Even if Malcolm's

specific changes does not cover applicant's "all changes, which includes layout and embeddings of the page", Dodrill suggests personalized web page (Col 8 lines 37-43) are stored in user-specific directories, wherein the personalized web page corresponds to "personalized layout and embedding of the page".

- b. That: Malcolm falls short of disclosing the permanent storage of the user specific data.

In response to applicant's argument, first, the term "permanent storage" as argued cannot be found in the amended claim. Second, Malcolm teaches where the user-specific data are saved into a volatile memory system of the client system (Col 2 lines 20-23), and Dodrill teaches user-specific XML document are stored in user-specific directories (Col 8 lines 38-42). Both Malcolm and Dodrill discloses the user specific data are stored on a storage.

- c. That: Malcolm and Dodrill does not discloses use of comprehensive software for recording all the modification to the network document made by the user, including change of font, colours, cursor position etc. Consequently, these changes cannot be recorded in the network client and therefore cannot be transferred to the network server, contrary to what is stated in new claim 18.

In response to applicants argument, applicant argues the term "use of comprehensive software for recording all the modification to the network document made by the user, including change of font, colours, cursor position etc", however, such passage cannot be found in the amended claim. Furthermore, new claim 18 cannot be found in the current listing of claims. Current listing of

claim shows claims 1-10 are cancelled and claims 11-17 are presented for examination.

Updated rejection is provided.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malcolm, US Patent Number 6,950,980, hereinafter Malcolm, in views of Dodrill et al., US Patent Number 6,901,431, hereinafter Dodrill.
8. Referring to claim 11, Malcolm teaches a communication method between a network client (Figure 1 client 102) and a network server (server 110), wherein a network document (web page) requested by the network client is sent from the network server to the network client (Col 3 lines 16-18, web pages hosted by server 110 are retrieved by client 102) and displayed by a browser of the network client to a user for processing (Col 3 lines 16-20, web page are retrieved by a user to display on a client browser), wherein the changes and supplements to the network document on the network client (Col 2 lines 20-22, the data submitted from the user to the server hosting the web pages corresponds to "changes and supplements" of the network document) , carried out by the user are stored as user specific data (Col 2 lines 22-23, user provided data are saved as user

specific data) for purpose of restoring (Col 2 lines 30-32, web page is restored with the data stored), in the further process when the user calls up again the network document, the network document created during a previous call-up on the network client through the interaction with the user (Col 2 lines 13-32, the purpose of storing user submitted data is for future web page restoring), thereby taking into consideration the changes and entries to/into the network document effected by the user during the previous call-up on the basis of the stored user-specified data, wherein all changes and supplements to the network document on the network client, comprising changes are recorded through software on the network client (Col 2 lines 13-32).

Malcolm does not teach the user-specific data are stored in the network server, and where the changes including changes to layout and embedding of a document page into an entire context, the changes and supplement being stored as user-specific data.

However, Dodrill teaches the user-specific data are stored in the network proxy server (Col 7 lines 52-61 XML document modified with user input are stored in application server 66), and where the user input including changes to layout and embedding of a document page into an entire context, the changes and supplement being stored as user-specific data (Col 8 lines 21-43).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the method of storing user-specific data in the network server of Dodrill in Malcolm such that to have user-specific data stored in the server because both Dodrill and Malcolm teaches object in XML format storing and

retrievals in a network system (Malcolm, Col 1 lines 8-17, Col 4 lines 18-19; Dodrill Col 8 lines 52-61).

A person with ordinary skill in the art would have been motivated to make the modification to Malcolm because there is a need for an arrangement that enables a user to personalize his web applications, especially without the necessity of client side data records such as cookie as taught by Dodrill (Col 3 line 66 – Col 4 line 2).

9. Referring to claim 12, Malcolm as modified teaches the communication method according to claim 11, wherein the changes and supplements carried out by the user on the network document are at first intermediately stored on the network client in particular in the main storage or on the fixed disk (Col 2 lines 18-26).
10. Referring to claim 13, Malcolm as modified teaches the communication method according to claim 11, wherein the network server creates a specific region in a database for the user-specific data (Dodrill Col 7 lines 59-61, the memory location where the web pages are store by the server 66 is viewed as the specific region in a database for the user-specific data).
11. Referring to claim 14, Malcolm as modified teaches the communication method according to claim 11, wherein in a first loading of a network document, the network client or the user is identified (Col 2 lines 13-44).
12. Referring to claim 15, Malcolm as modified teaches the communication method according to claim 11, wherein the document changed or supplemented by the user is recorded on the network client and is stored in the network server in a browser-independent format, in particular in XML (Col 4 lines 18-36).

13. Referring to claim 16, Malcolm as modified teaches the communication method according to claim 11, wherein the stored user-specific data of the network server is interpreted on the network client and a format is generated therefrom which the network browser can read (Col 2 lines 13-44 and Col 4 lines 18-38).
14. Referring to claim 17, Malcolm as modified teaches the communication method according to claim 11, wherein the changes and supplements carried out by the user on the network document are at first intermediately stored on the network client in particular in the main storage or on the fixed disk, wherein the network server creates a specific region in a database for the user-specific data, wherein in a first loading of a network document, the network client or the user is identified, wherein the document changed or supplemented by the user is recorded on the network client and is stored in the network server in a browser-independent format, in particular in XML, and wherein the stored user-specific data of the network server is interpreted on the network client and a format is generated therefrom which the network browser can read (Col 2 lines 13-44 and Col 4 lines 18-38).

Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

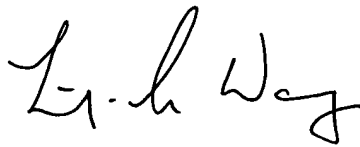
16. Ryan, US Patent Number 6,470,319, teaches the web page may be modified by the user by initiating an request to the web server, leading to additions or modifications of the data on storage media (Col 11 lines 58-65).
17. Crosskey et al., US Patent Number 6,035,281, teaches modified image files are stored at the proxy server.
18. Davis et al., US Patent Number 5,937,160, teaches each modified web page is stored on the web server (Col 13 lines 21-30)
19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang
January 30, 2008

A handwritten signature in black ink, appearing to read "L-c Wang", written in a cursive style.